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E.O. 12958: DECL: 09/21/2019
TAGS: [KACT](#) [MARR](#) [PARM](#) [PREL](#) [RS](#) [US](#) [START](#)
SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA (SFO-GVA-V):
(U) CLOSING PLENARY, OCTOBER 1, 2009

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

[1](#)1. (U) This is SFO-GVA-V-036.

[1](#)2. (U) Meeting Date: October 1, 2009
Time: 10:00 A.M. - 1:15 P.M.
Place: Russian Mission, Geneva

SUMMARY

[1](#)3. (S) U.S. and Russian delegations met at the Russian Mission to conclude the fifth session of START Follow-on negotiations in Geneva. Working group chairmen from each side reported on their activities, and the heads of delegations reviewed accomplishments and the critical issues that still required resolution. They also previewed plans and objectives for meetings in Moscow during the week of October 12. The working group reports made it clear that key accomplishments for this session were the establishment of very positive working relationships between each of the working group chairmen, and the development of a pattern of work. It was evident the sides had developed a high level of mutual respect, which should facilitate resumption and acceleration of work at the next session. Also clear, however, was that the working groups had reached the point where the sides needed to resolve key differences in principle between U.S. and Russian positions to enable substantive progress. The working group reports identified accomplishments across all groups on structural and certain conceptual issues, but the impact of the critical differences

across the range of issues was very evident.

TREATY TEXT AND DEFINITIONS WORKING GROUP

¶4. (S) Ambassador Ries provided a summary of the Treaty Text and Definitions Working Group (TTDWG). The TTDWG had focused on the treaty's preamble, final articles, and the article and protocol on the work of the Bilateral Consultative Commission (BCC), as these provisions provided the framework for the substance of the treaty. The TTDWG had made good progress on the preamble, though bracketed text remained associated with the offense-defense relationship, missiles deployed with non-nuclear warheads, and the principle of equal security. For the final articles, the U.S. delegation emphasized the importance of jointly considering treaty extension, but there remained bracketed text on this concept, as well as on the notification time for withdrawal. The U.S. delegation had presented the U.S.-proposed text for the BCC article and associated protocol. One of the key issues that remained concerned the U.S. proposal for provisional application to allow the BCC to operate upon treaty signature. Ries requested Russia consider this during the intersession.

¶5. (S) Mr. Koshelev agreed with the summary presented. He added that the dialogue and working relationship within the group was very positive. There were some issues of principle remaining in the preamble, but he felt that formulations that would satisfy each Party were possible. On the final articles and the BCC, the Russian approach was to utilize the

most successful elements of these portions from the START Treaty, while streamlining the text. The United States had instead retained as much as possible from START. The sides needed to find a resolution to these competing approaches as well to the issues of principle to facilitate work on the remaining articles, and the work within the other groups.

¶6. (S) Adding to the summary, Ambassador Antonov said the TTDWG needed more participation by military and technical experts to address key issues. Otherwise it would be held hostage to the other working groups. The working groups and experts would need to provide input on the relevant portions of the treaty text, and then the TTDWG would need to merge the text. Counting rules, for example, should not be resolved by the TTDWG alone. A/S Gottemoeller agreed to discuss this further during the week of October 12 in Moscow, and raised the possibility of establishing special ad hoc working groups for these types of issues.

INSPECTION PROTOCOL WORKING GROUP

¶7. (S) Col Ilin provided his assessment of the Inspection Protocol Working Group (IPWG). He characterized the work as highly professional and constructive. The IPWG had agreed in concept to two sections of the Inspection Protocol, as well as the overall approach to work within the IPWG. The delegations agreed to take as homework the preparation of their own versions of Joint Draft Text (JDT), reconsidering their own positions and those of the other side. A key accomplishment was agreement on a three-tier approach to the treaty. The first tier would include the treaty text and procedures. The second would be for the protocol and annexes. The third would equate to a practical manual for inspectors that would be adopted at a lower level. The remaining problems for the group were tied to the key outstanding issues between the United States and Russia. As an example, it would be impossible to resolve the types and numbers of inspections until the sides resolved counting rules for the new treaty.

¶8. (S) Dr. Warner agreed with Ilin's assessment. The working group had established a pattern of work and was gaining momentum. He noted specifically the progress made on characterizing the types of inspections under the new treaty:

inspections for deployed strategic offensive arms and warheads; and inspection-visits for non-deployed strategic offensive arms and exhibitions, including confirming conversion or elimination procedures. Remaining differences included agreement on the annual numbers of inspections and facilities to be inspected, and agreement, even at the conceptual level, for nuclear warhead inspections, especially for nuclear armaments for heavy bombers.

¶9. (S) Gottemoeller complimented Warner and Ilin on pioneering the three-tier approach. The U.S. delegation believed a streamlined treaty based on a three-tier structure was a good idea, with the understanding that the treaty text and protocols, which would contain the obligations and rights of the Parties, must appear in the first and second tier, and that the third tier would consist of lower-level detailed procedures. The three tiers would form a legally-binding package and all three would be ratified by the U.S. Senate.

¶10. (S) Antonov clarified the Russian concept for the three tiers. Specifically, the first and second tiers would require ratification. The third would not. It would be lower in status, perhaps in the form of an Executive Agreement. While recognizing that the U.S. delegation believed all three tiers should be ratified, only ratifying the first two provided room for maneuver. This was an idea the sides should consider further. On this point, Gottemoeller noted that the legislative bodies in each country would ratify in accordance with their own constitutional procedures.

ELIMINATION WORKING GROUP

¶11. (S) Mr. Elliott provided a summary of the Elimination Working Group (EWG). The approach of the EWG had been very professional. The group stood out in the sense that much of the work during the session focused on concepts, and the sides had made significant progress toward understanding the concepts laid out by the other. As a result, each had been able to accept certain approaches of the other. Due to the need to focus so much on concepts, however, there had been little progress toward developing JDT, though this could now begin. There were also significant differences regarding the U.S. approach for eliminating mobile missiles. The sides would need to spend the next 2 weeks considering larger issues in order to focus the work of the delegations during the next session in Geneva.

¶12. (S) Col Ryzhkov thanked Elliott for his assessment, and noted the U.S. members of the EWG were very professional and a pleasure to work with. They had made important progress; for example, it was clear both sides agreed that procedures should be less expensive and there should be greater flexibility regarding options for elimination. The sides also agreed on verification at the conceptual level: inspection should supplement national technical means of verification (NTM). Differences were that the United States sought more inspections, while Russia sought fewer. However, there were areas where work on text could begin, such as elimination procedures for silo launchers. Gottemoeller added that flexibility regarding elimination procedures was an important concept, but it was also important that the sides be able to confirm new elimination procedures prior to eliminations.

MEMORANDUM OF UNDERSTANDING WORKING GROUP

¶13. (S) MGen Orlov thanked the U.S. members of the Memorandum of Understanding (MOU) Working Group for both listening and hearing what Russian members had said. This helped create a constructive atmosphere for the work from the start. He was impressed by the younger members of the group, who posed some of the most challenging questions. The U.S.

and Russian delegations agreed on several elements of the MOU. However, U.S. and Russian differences on key issues for the new treaty impacted the ability of the MOU Working Group to resolve certain essential elements. During the intersession, the Russian side would finish developing a JDT

for the next session that would take the U.S. view into account to the maximum extent possible. Final results for the MOU would depend on work in the other groups.

¶14. (S) Mr. Trout agreed, noting that the overall structure did not depend on resolving issues within other groups. The U.S. delegation had accepted the Russian-proposed structure for the MOU, including Russia's-proposed sections and annexes, though it proposed splitting out sections for ICBMs, SLBMs and heavy bombers. Russia did not initially include data on space launch and elimination facilities, but would consider this further during the intersession. Key outstanding issues affecting the MOU included central limits, mobile missiles, and the approaches of the sides for counting heavy bomber nuclear armaments, which under the Russian approach would only include nuclear ALCMs or gravity bombs when loaded on heavy bombers.

SUMMARY OF KEY ISSUES

¶15. (S) Summarizing the session, Gottemoeller said her goals had been met. The delegations agreed to an overall structure for the treaty (the three-tier structure), established an active working group schedule, and completed a JDT for the treaty articles and begun the process of agreeing to text. The pace for the next session would need to accelerate, however. For meetings in Moscow the week of October 12, her goals included reviewing the treaty articles to ensure all significant issues had been identified. With the issues of principle clearly reflected in the JDT, the sides could study them in context. Gottemoeller provided the Russian delegation with a U.S.-proposed merged text of the treaty articles. Text will be reported septel.

¶16. (S) Antonov agreed the sides had a much better understanding of each other, and the sides had begun to take each other's views into account. They had conducted the work during the session in a friendly, business-like manner. He considered this session training for the real work ahead, however. He then identified ten problematic issues for resolution, which he provided in written form.

Begin text of official translation of the Russian paper:

Official Translation

Handed over by the
Russian Side on
October 1, 2009

Problematic Issues

¶1. Reaching agreement on numerical limits on deployed delivery vehicles for SOAs.

¶2. Reaching agreement on numerical limits on deployed and non-deployed launchers of ICBMs and launchers of SLBMs.

¶3. Removing Peacekeeper and Minuteman II ICBMs and their launchers from accountability under the new treaty, and removing converted submarines and heavy bombers from the verification regime.

¶4. Inseparable interrelationship between SOAs and MD.

¶5. Non-nuclear configuration of ICBMs and SLBMs.

¶6. Retaining the continuous monitoring regime at the

production facility for mobile ICBMs.

¶7. Special limitations and verification measures for mobile ICBMs, which are not envisaged for other kinds of mobile SOAs.

¶8. Retaining in the new treaty the provisions on exchanging telemetric information.

¶9. Tightening up verification measures for SOAs (increasing the number of inspections, while reducing the number of facilities to be inspected).

¶10. Removing "new kinds of SOAs" tested for non-nuclear purposes from coverage under the future agreement.

End text.

¶17. (S) Gottemoeller noted that she also had a list of ten items requiring resolution, though two from Antonov's list were not included: telemetry and continuous monitoring, as the United States had already advanced these issues in the previous round and they were a mature part of the U.S. position. Her list was:

- The Russian-proposed third aggregate ceiling for deployed and non-deployed launchers.

- Russia's proposal to only count nuclear ALCMs and bombs that are loaded on heavy bombers.

- The concept of fewer inspections, and the distinction between inspections and inspection-visits.

- Russia's concept that under the treaty there should be no difference between road-mobile missiles and any other "mobile" system, such as submarine-launched ballistic missiles.

- The U.S. proposal not to count new types of missiles developed solely for non-nuclear warheads, and not to count non-nuclear warheads on existing systems.

- Russian objections to the U.S. approach for counting heavy bomber armaments in heavy bomber weapon storage areas.

- U.S. and Russian differences on incorporating provisions on strategic defensive arms.

- For the MOU, whether technical characteristics such as maximum numbers of reentry vehicles flight tested should be included for missiles as a transparency measure.

- The Russian proposal to merge space launch and test facilities within the MOU, and the implications of this.

- Russia's concerns regarding "phantom" launchers, including the Peacekeeper missile silos attributed under

START that would not be captured under the new treaty.

PLANS FOR MOSCOW

¶18. (S) Antonov asked Gottemoeller to describe her objectives and plans for the proposed meetings in Moscow during the week of October 12. Supporting the U.S.-proposed meetings would be difficult due to the planned meetings that week between Secretary Clinton and Minister Lavrov, and Under Secretary Tauscher and Deputy Foreign Minister Ryabkov. Further, finding meeting space and interpreters to support several different meetings of U.S. and Russian working group chairmen could be problematic. From Russia's perspective, it would be most useful for the U.S. delegation in Moscow to present information on two issues. He provided a paper detailing suggested U.S. briefing topics:

Begin text:

Suggested U.S. Briefing Topics of Interest to the RF

¶1. Approach to counting, in the new treaty, delivery vehicles and launchers of ICBMs and SLBMs currently attributed to the U.S. under the START Treaty.

¶2. The concept of new kind of non-nuclear SOAs and the U.S. approach to accounting for them in the new agreement.

End text.

¶19. (S) Gottemoeller recognized the complexity of the multiple meetings in Moscow, but assured Antonov that the U.S. delegation would be flexible and prepared to meet during any available time. The U.S. delegation would bring additional interpreters to support the meetings. In addition to specific issues for discussion, she suggested the delegations discuss the idea of establishing focused working groups to address certain key issues, such as counting rules and monitoring of mobile missiles.

¶20. (S) Antonov indicated he was not excited about having the U.S. delegation in Moscow during the week of October 12, and pushed back some on the idea of establishing special working groups. He was disappointed that the United States had not accepted Russia's proposal for meetings in Geneva related to missile defense, as the Russian experts were all there. He and several of the other Russian representatives would be involved attending or supporting the Clinton-Lavrov and Tauscher-Ryabkov meetings, as missile defense issues would be a principal focus. Further, he had not agreed that special working groups should be established; rather, his point on the matter was that he did not want to leave certain issues to the TTDWG to resolve, such as counting rules, and transparency for non-deployed ICBMs, including for mobile ICBMs. These issues would require expertise from the other working groups.

¶21. (S) Gottemoeller clarified that the United States had preferred for missile defense discussions to take place in Moscow during the week of October 12 because that was when top U.S. experts such as General O'Reilly would be available to participate.

¶22. (U) Documents exchanged:

- U.S.:

-- U.S.-Proposed Joint Draft Text for the Treaty Articles, dated October 1, 2009.

¶23. (U) Participants:

U.S.:

A/S Gottemoeller
Amb Ries
Ms. Bobiak
Mr. Brown
Mr. Buttrick
Lt Col Comeau
Mr. Dean
Mr. Dunn
Mr. Elliott
Dr. Fraley
Col Hartford
Mr. Johnston
Mr. Siemon
Mr. Taylor
Mr. Trout
Dr. Warner
Ms. Zdravecky
Ms. Gross (Int)

Russia:

Amb Antonov
Mr. Koshelev
Col Ilin
Ms. Ivanova
Mr. Izrazov
Ms. Kotkova
Mr. Kuznetsov
Mr. Leontiev
Mr. Luchaninov
Mr. Malyugin
Mr. Neshin
MGen Orlov
Mr. Pischulov
Col Ryzhkov
Mr. Rudenko
Mr. Shevchenko
Mr. Smirnov
Mr. Tarasov
Mr. Vasiliev
Mr. Venevtsev
Mr. Vorontsov
Ms. Evarovskaya (Int)

124. (U) Gottemoeller sends.
RICHTER